IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

RSA . No. 2210 of 2006
Date of Decision: July 24,2007

Dhan Singh and others ***.....Appellants***

Versus

Ranbir Singh and others ***.....Respondents***

Coram: ***Hon'ble Mr.Justice Rajesh Bindal***

Present: Dr.Surya Parkash, Advocate for the appellants

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Heard learned counsel for the appellants.

This is second appeal by the defendants against the concurrent findings recorded by both the Courts below whereby suit filed was decreed in favour of the plaintiffs and the defendants were restrained from causing any obstruction in the rasta specially by way of errecting any wall in front of the door of the house of the plaintiffs.

It has been found that the gate of the plaintiffs' house opened in the street which is the common passage and defendants did not have any right to obstruct the same.

No other issue has been raised or decided by the Courts below.

Accordingly, the argument of the learned counsel for the appellants that the decree be modified to the extent that the house of the appellants be not demolished, is neither here nor there and cannot be considered in this appeal.

Dismissed.

(Rajesh Bindal)
Judge

July 24, 2007
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